

Serial No.: 10/805,

Attorney Docket No.: 800812-0005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) Serial No.

Ibert C. Wells

Filing Date

10/805,881

March 22, 2004

Title

METHOD FOR DETECTING DEFICIENT CELLULAR

MEMBRANE TIGHTLY BOUND MAGNESIUM FOR DISEASE

DIAGNOSES

Group Art Unit

1644

Examiner

Szperka, Michael Edward.

Confirmation No.

9725

Atty. Docket No.

800812-0005

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. § 1.56 and § 1.97(b), the references listed below and on the attached Form PTO/SB/08A (Substitute for Form 1449A-B/PTO) are being brought to the attention of the Examiner for consideration in connection with the examination of the aboveidentified patent application. Copies of the cited documents are enclosed. Submission of these references is not an admission that the references constitute prior art.

U.S. PATENTS

Patent No.

Inventor(s)

Issue Date

None.

FOREIGN PATENTS

Country

Patent No./Publication No.

Publication Date

None.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on:

Signature: Printed Name:_ The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

DB02/800812 0005/7397200.1

Serial No.: 10/805,881

Attorney Docket No.: 800812-0005

OTHER REFERENCES

See attached Form PTO/SB/08B.

Applicant respectfully requests that these references be made of record in the aboveidentified application and considered by the Examiner during prosecution of the application.

It is respectfully submitted that the present invention as claimed is patentable over the listed references.

This information disclosure statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114. Accordingly, no fee is due.

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By:

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PTO/SB/08B (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for Form 1449B/PTO (Modified) INFORMATION DISCLOSURE

Sheet

STATEMENT BY APPLICANT (use as many sheets as necessary)

of 1

Complete if Known **Application Number:** 10/805,881 03/22/04 Filing Date: First Named Inventor: ibert C. Wells Group Art Unit: 9725 Examiner Name: Szperka, Michael Edward Attorney Docket Number: 800812-0005

OTHER REFERENCES – NON PATENT LITERATURE DOCUMENTS AND INFORMATION			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T2
		HUERTA, et al. (2005) Magnesium Deficiency Is Associated With Insulin Resistance in Obese Children, (Diabetes Care) 28(5) 1175	
		SALES, et al. (2006) Magnesium and diabetes mellitus: Their relation (Clinical Nutrition) 25:554-562	
		MATUURA, et al. (1987) Decreased Intracellular Free Magnesium in Erythrocytes of Spontaneously Hypertensive Rats (Biochemcial and Biophysical Research Communications)143(3) 1012-1017	
		RESNICK, et al. (1984) Intracellular free magnesium in erythrocytes of essential hypertension: Relation to blood pressure and serum divalent cations, (Medical Sciences) 81 6511-6515	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Date

Considered

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Examiner

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¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.